

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

A.S.R., individually and on behalf of all others  
similarly situated.,

*Petitioner-Plaintiff,*

v.

DONALD J. TRUMP, in his official capacity as  
President of the United States, *et al.*,

*Respondents-Defendants.*

Case No. \_\_\_\_\_

**EMERGENCY APPLICATION  
FOR A TEMPORARY  
RESTRAINING ORDER**

**EMERGENCY APPLICATION FOR A TEMPORARY RESTRAINING ORDER<sup>1</sup>**

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<sup>1</sup> Petitioner's counsel will email a PDF copy of this Motion and the documents in support of this Motion to Lee Karl, Adam Fischer, and Michael Colville, all of whom are attorneys with the U.S. Attorney's Office for the Western District of Pennsylvania.

**Petitioner-Plaintiff (“Petitioner”) and the proposed class are in imminent danger of being removed from the United States—(with 24 hours or less notice)—and this Court could potentially permanently lose jurisdiction. Petitioner and the class are also in imminent danger of being transferred outside of the Western District of Pennsylvania en route to removal. Accordingly, Petitioner respectfully requests a temporary injunction for Petitioner and the putative class to preserve the status quo, enjoining (1) any removal outside the country pursuant to the Alien Enemies Act (“AEA”), (2) any transfer out of the Western District of Pennsylvania, (3) notice to Petitioner and the putative class, as well as undersigned counsel, of any designation as an Alien Enemy under the Proclamation, with at least 30 days’ notice prior to any removal under the Proclamation, and (4) notice to undersigned counsel of the transfer of any individual designated an Alien Enemy under the Proclamation into the Western District of Pennsylvania.**

The request for a temporary restraining order against Respondents-Defendants (“Respondents”) is made pursuant to Rule 65 of the Federal Rules of Civil Procedure, and the All Writs Act. Petitioner and the proposed class are civil immigration detainees who are at substantial risk of immediate, summary removal from the United States pursuant to the use of the AEA, 50 U.S.C. § 21 *et seq.* against a *non-state* actor for the first time in the country’s history.

As set forth in the accompanying Memorandum of Law, Respondents’ invocation and application of the AEA patently violates the plain text of the statute and exceeds the limited authority granted to the President by Congress. Respondents’ invocation and application of the AEA also violates the Immigration and Nationality Act, statutes providing protection for people seeking humanitarian relief, and due process. In the absence of a temporary restraining order, Petitioner and the class will suffer irreparable injury, and the balance of hardships and the public

interest favor relief. Critically, moreover, if Petitioner and the class are removed to the custody of another country, the government's position is that this Court will lose jurisdiction permanently.

In support of this Motion, Petitioner relies upon the accompanying memorandum in support of a Temporary Restraining Order, motion and memorandum for class certification, and declarations in support of both motions. A proposed order is attached for the Court's convenience. Petitioner respectfully requests that this Court grant this emergency application and issue a temporary restraining order as soon as possible for Petitioner and the class.

Dated: April 15, 2025

Respectfully submitted,

Lee Gelernt (NY 2502532)\*  
Daniel Galindo (CA 292854)\*  
Ashley Gorski (NY 4874228)\*  
Patrick Toomey (4983979)\*  
Sidra Mahfooz (NY 5782693)\*  
Omar Jadwat (NY 4118170)\*  
Hina Shamsi (NY 2995579)\*  
AMERICAN CIVIL LIBERTIES UNION  
FOUNDATION  
125 Broad Street, 18th Floor  
New York, NY 10004  
T: (212) 549-2660  
F: (212) 519-7871  
E: lgelernt@aclu.org  
E: dgalindo@aclu.org  
E: agorski@aclu.org  
E: ptoomey@aclu.org  
E: smahfooz@aclu.org  
E: ojadwat@aclu.org  
E: hshamsi@aclu.org

Noelle Smith (CA 344481)\*  
Oscar Sarabia Roman (CA 341385)\*  
My Khanh Ngo (CA 317817)\*  
Cody Wofsy (CA 294179)\*  
AMERICAN CIVIL LIBERTIES UNION  
FOUNDATION  
425 California Street, Suite 700  
San Francisco, CA 94104  
T: (415) 343-0770  
F: (212) 519-7871  
E: nsmith@aclu.org  
E: osarabia@aclu.org  
E: mnngo@aclu.org  
E: cwofsy@aclu.org

/s/ Vanessa L. Stine  
Vanessa L. Stine (PA 319569)  
Witold J. Walczak (PA 62976)  
Keith Armstrong (PA 334758)\*  
AMERICAN CIVIL LIBERTIES UNION  
OF PENNSYLVANIA

P.O. Box 60173  
Philadelphia, PA 19102  
T: 215-592-1513  
F: 267-573-3054  
E: vstine@aclupa.org  
E: karmstrong@aclupa.org

P.O. Box 23058  
Pittsburgh, PA 15222  
T: 412-681-7864  
F: 267-573-3054  
E: vwalczak@aclupa.org

Attorneys for Petitioner-Plaintiff  
*\*Pro hac vice applications forthcoming*